

PUBLIC SAFETY AND CRIMINAL JUSTICE COMMITTEE

DATE: November 2, 2005

CALLED TO ORDER: 5:34 p.m.

ADJOURNED: 6:23 p.m.

ATTENDANCE

Attending Members

Mary Moriarty Adams, Chairwoman
Greg Bowes
Vernon Brown
Sherron Franklin
Lynn McWhirter
William Oliver
Lincoln Plowman
Scott Schneider

Absent Members

AGENDA

PROPOSAL NO. 519, 2005 - appoints Terry Buford to the Marion County Community Corrections Advisory Board
"Postponed to November 16, 2005" Vote: 5-0

PROPOSAL NO. 403, 2005 - creates a user fee for deployment of public safety services and creates non-reverting funds with authority for expenditures or appropriations from the said funds
"Postponed to November 16, 2005" Vote: 8-0

PROPOSAL NO. 563, 2005 - approves an appropriation totaling \$120,000 in the 2005 Budget of the Marion County Coroner (County General Fund) to fund the cost of providing autopsies, financed by a \$20,000 transfer between characters and \$100,000 from fund balance
"Do Pass" Vote: 8-0

PROPOSAL NO. 564, 2005 - approves an increase of \$30,288 in the 2005 Budget of the Marion County Sheriff's Department (State and Federal Grants Fund) to provide reimbursement for overtime earned by two deputies while assigned to the Indianapolis Violent Crime Major Incident Safe Street Task Force
"Do Pass" Vote: 8-0

PROPOSAL NO. 565, 2005 - approves an increase of \$136,296 in the 2005 Budget of the Marion County Sheriff's Department (State and Federal Grants Fund) to provide reimbursement for nine officers assigned to the Indianapolis Metropolitan Gang Safe Streets Task Force

"Do Pass"

Vote: 8-0

PROPOSAL NO. 566, 2005 - approves an increase of \$786,729 in the 2005 Budget of the Marion County Prosecutor (State and Federal Grants Fund) to fund salaries, benefits and other project costs associated with programs dealing with Operating a Vehicle While Intoxicated (OVWI), Fatality Awareness & Crash Training (FACT) and Seat Belt Enforcement, financed by grants from the National Highway Traffic Safety Administration and the Governor's Council on Impaired and Dangerous Driving

"Do Pass as Amended"

Vote: 7-1

PROPOSAL NO. 567, 2005 - approves an increase of \$127,500 in the 2005 Budget of the Marion County Prosecutor (State and Federal Grants Fund) to fund partial salaries, benefits and other project costs associated with a prosecutor and a paralegal that will specialize in Anti Human Trafficking, in conjunction with other local agencies, funded by a grant from the federal Department of Justice

"Do Pass"

Vote: 8-0

PROPOSAL NO. 568, 2005 - approves an increase of \$753,726 in the 2005 Budget of the Marion County Prosecutor (State and Federal Grants Fund) to fund salaries and benefits of certain prosecutors and support staff of the juvenile and community prosecution divisions, funded by a Byrne Memorial Fund Community Prosecution grant from the Indiana Criminal Justice Institute, a Justice Assistance subgrant from IPD, and a Local Law Enforcement Block grant from the US Department of Justice

"Do Pass"

Vote: 8-0

PUBLIC SAFETY AND CRIMINAL JUSTICE COMMITTEE

The Public Safety and Criminal Justice Committee of the City-County Council met on Wednesday, November 2, 2005. Chairwoman Mary Moriarty Adams called the meeting to order at 5:34 p.m. with the following members present: Greg Bowes, Vernon Brown, Sherron Franklin, Lynn McWhirter, William Oliver, Lincoln Plowman, and Scott Schneider. Also present was Bart Brown, the Council's Chief Financial Officer.

Consent was given to move Proposal No. 519, 2005 to the end of the agenda.

PROPOSAL NO. 403, 2005 - creates a user fee for deployment of public safety services and creates non-reverting funds with authority for expenditures or appropriations from the said funds

Councillor Bowes moved, seconded by Councillor Oliver, to postpone Proposal No. 403, 2005. The motion carried by a vote of 8-0

PROPOSAL NO. 563, 2005 - approves an appropriation totaling \$120,000 in the 2005 Budget of the Marion County Coroner (County General Fund) to fund the cost of providing autopsies, financed by a \$20,000 transfer between characters and \$100,000 from fund balance

John Lenahan, Deputy Chief Marion County Coroner, stated that this request comes because of the increase in the cost of autopsies, as the service is no longer provided by Indiana University. Mr. Lenahan stated that with the revenues for 2005 exceeding the expectations for this agency, this request is earmarked on where it would come from. Kenneth Ackles, Marion County Coroner, stated that next year the Coroner's office will put aside the income that is coming into the Coroner's office, and use that money instead of sending the money, back and then coming to ask for it again.

Chairwoman Moriarty Adams asked how many autopsies will be performed with this request. Mr. Lenahan stated that they do 110 autopsies per month; the average cost of an autopsy is about \$3,500- \$4,000 each.

Councillor Oliver asked if the cost for these autopsies is comparable with other metro cities such, as Indianapolis. Mr. Lenahan said that the autopsies in Indianapolis cost 30 percent less than in Cincinnati, St Louis, and Louisville.

Councillor McWhirter moved, seconded by Councillor Schneider, to send Proposal No. 563, 2005 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 8-0.

Consent was given to hear Proposal No. 564, 2005 and Proposal No. 565, 2005 together.

PROPOSAL NO. 564, 2005 - approves an increase of \$30,288 in the 2005 Budget of the Marion County Sheriff's Department (State and Federal Grants Fund) to provide reimbursement for overtime earned by two deputies while assigned to the Indianapolis Violent Crime Major Incident Safe Street Task Force

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Ronald Chappel, Major of the MCSD, stated that both of these proposals are reimbursement grants from the Federal Bureau of Investigation (FBI). He stated that Proposal No. 564, 2005 is a grant that started in 1992, and it would fund overtime for two deputies working on the taskforce. Major Chappel stated that this taskforce is an apprehension of major felons that are wanted by the Federal and State in Marion County and surrounding counties. Most of these are class A and B warrants, which are murder, robbery, rape, and kidnapping. He said that each deputy is allowed a maximum of \$ 1,262 per month for overtime pay.

PROPOSAL NO. 565, 2005 - approves an increase of \$136,296 in the 2005 Budget of the Marion County Sheriff's Department (State and Federal Grants Fund) to provide reimbursement for nine officers assigned to the Indianapolis Metropolitan Gang Safe Streets Task Force

Major Chappel stated that there are 27 people assigned to this taskforce, and most of the crimes that are investigated are gangs, and drug trafficking. This grant goes from October 1, 2005 through September 30, 2006 and there are no matching funds.

Councillor Schneider moved, seconded by Councillor McWhirter, to send Proposal No. 564 and 565, 2005 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 8-0.

PROPOSAL NO. 566, 2005 - approves an increase of \$786,729 in the 2005 Budget of the Marion County Prosecutor (State and Federal Grants Fund) to fund salaries, benefits and other project costs associated with programs dealing with Operating a Vehicle While Intoxicated (OVWI), Fatality Awareness & Crash Training (FACT) and Seat Belt Enforcement, financed by grants from the National Highway Traffic Safety Administration and the Governor's Council on Impaired and Dangerous Driving

Lisa Bentley, Marion County Prosecutor's Office, stated that FACT stands for Fatal Alcohol Crash Team and should be corrected in this proposal. Ms. Bentley said that this proposal consists of three separate grants from the Indiana Criminal Justice Institute (ICJI); The FACT grant is \$167,154, the DUI Indiana grant is \$330,000, and Big City Big County grant is \$289,575. She said that the total of the three grants reflects an increase of grant funding of \$135,000 for enforcement of these program. The FACT team responds to all fatal and serious bodily injury crashes including hit and run cases that involve alcohol.

Don Bickel, Director of the Marion County Traffic Safety Partnership, explained Exhibit A, which is the breakdown of the funds.

{Clerks note: Exhibit A is attached.}

Councillor Brown asked if the members of the FACT team have been consistent. Mr. Bickel answered in the affirmative.

Councillor Schneider stated that the \$289,575 is a misdirection of resources. He said that he would like to support all the other grants but will not support the seatbelt enforcement portion of the proposal.

Councillor Oliver stated that he is in favor of this proposal but he is also against the seatbelt enforcement portion.

Councillor Brown stated that seatbelt enforcement saves lives and he is in support of the full proposal.

Councillor McWhirter stated that she will support this proposal because seatbelts do save lives.

Councillor Bowes stated that the Federal government is encouraging states all over the country to implement and enforce a seatbelt law.

Councillor Bowes moved, seconded by Councillor McWhirter, to amend the change in wording for FACT in Proposal No. 566, 2005. The motion carried by a vote of 8-0.

Councillor McWhirter moved, seconded by Councillor Brown, to send Proposal No. 566, 2005 to the full Council with a "Do Pass as Amended" recommendation. The motion carried by a vote of 7-1, with Councillor Schneider casting the negative vote.

Consent was given to hear Proposal Nos. 567, and 568, 2005 together.

PROPOSAL NO. 567, 2005 - approves an increase of \$127,500 in the 2005 Budget of the Marion County Prosecutor (State and Federal Grants Fund) to fund partial salaries, benefits and other project costs associated with a prosecutor and a paralegal that will specialize in Anti Human Trafficking, in conjunction with other local agencies, funded by a grant from the federal Department of Justice

Ms. Bentley said that Proposal No. 567, 2005 funds partial salaries of a paralegal and a prosecutor. It also funds the educational project costs which all address human trafficking. There will be a prosecutor designated to human trafficking.

PROPOSAL NO. 568, 2005 - approves an increase of \$753,726 in the 2005 Budget of the Marion County Prosecutor (State and Federal Grants Fund) to fund salaries and benefits of certain prosecutors and support staff of the juvenile and community prosecution divisions, funded by a Byrne Memorial Fund Community Prosecution grant from the Indiana Criminal Justice Institute, a Justice Assistance subgrant from IPD, and a Local Law Enforcement Block grant from the US Department of Justice

Ms. Bentley said that Proposal No. 568, 2005 is a combination of the Justices Assistance Grant (JAG) and the Byrne Grant that will fund the salaries of certain prosecutors and support staff of the Juvenile and Community Prosecution Division. Community prosecution involves prosecutors that are located at the Indianapolis roll call sites around the county. These prosecutors work with law enforcement, and neighborhood groups to address low level criminal offenses that affect the quality of life in the neighborhoods.

Chairwoman Moriarty Adams asked where the local match comes from. Mr. Brown stated that the local match is not a dollar amount, but it is part of the Prosecutor's budget that can be counted toward the local match.

Councillor McWhirter moved, seconded by Councillor Schneider, to send Proposal No. 567, and 568, 2005 to the full Council with a “Do Pass” recommendation. The motion carried by a vote of 8-0.

PROPOSAL NO. 519, 2005 - appoints Terry Buford to the Marion County Community Corrections Advisory Board

Councillor McWhirter said that Mr. Buford’s address reads that he lives in Carmel, Indiana and this appointment is for the Marion County Community Corrections Advisory Board. She said that people on the Marion County Advisory Board should live in Indianapolis.

Councillor McWhirter moved, seconded by Councillor Schneider, to strike Proposal No. 519, 2005. The motion failed by a vote of 3-5, with Councillors Moriarty Adams, Bowes, Brown, Franklin, and Oliver casting the positive votes.

Councillor Oliver stated that he does support the residence requirement in Marion County but the address on Mr. Buford’s resume is not enough to strike the proposal.

Councillor Franklin stated that Mr. Buford’s business is located at 36th Street and Meridian and they have several offices in downtown Indianapolis. She said that the services Mr. Buford provides are for people in Marion County.

Councillor Brown stated that he would support the residence requirement if it applied to all City and County employees.

Councillor Bowes moved, seconded by Councillor Oliver, to postpone Proposal No. 519, 2005 to the next Public Safety Committee Meeting on November 16, 2005. The motion carried by a vote of 8-0

CONCLUSION

With no further business pending, and upon motion duly made, the Public Safety and Criminal Justice Committee of the City-County Council was adjourned at 6:23 p.m.

Respectfully submitted,

Mary Moriarty Adams, Chairwoman
Public Safety and Criminal Justice Committee